

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/539,160  
Filed: June 14, 2005  
Inventor: Thomas Gradel et al  
Title: INTERVERTEBRAL IMPLANT  
Examiner: James L. Swiger III  
Art Unit: 3733  
File No.: 190-89

---

REQUEST FOR RECONSIDERATION UNDER RULE 116

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit this document in response to the Official Action of September 26, 2007. A Petition for Extension of Time, and payment of \$60.00, accompany this document.

Applicants thank the Examiner for the courtesy extended during the telephone interview of January 9, 2008.


During the interview, the undersigned explained that the pending claims contain specific limitations not found in the references. The Examiner then suggested that the undersigned submit a Request for Reconsideration.

The attached Remarks summarize the issues discussed with the Examiner by telephone.

For the reasons given in the attached Remarks, and in the previous Amendment, Applicants submit that the application is in condition for allowance.

Applicants therefore request reconsideration and early favorable action. If the Examiner has questions, Applicants ask that he telephone the undersigned.

Respectfully submitted,

  
William H. Eilberg, Esq.  
Registration No. 28,009  
Three Bala Plaza  
Suite 501 West  
Bala Cynwyd, PA 19004  
215-885-4600

Attorney for Applicants